

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re BIOLITEC, INC., Debtor.	Case No. 13-11157 (DHS) Hon. Donald H. Steckroth Chapter 11
MELANIE CYGANOWSKI, CHAPTER 11 TRUSTEE FOR BIOLITEC, INC. AND ANGIODYNAMICS, INC. v. BIOLITEC U.S. INC.; BIOLITEC AG; BIOLITEC MEDICAL DEVICES, INC.; BIOMED TECHNOLOGY HOLDINGS LTD.; CERAMOPTEC INDUSTRIES, INC.; BIOLITEC HOLDING US, INC.; BIOLITEC FZ LLC; WOLFGANG NEUBERGER; JACK FURCHT; SCOTT COTE; CEMAL SAGNAK; DAMIAN PLANGE; JOHN DOE AND JANE DOE.	Adv. Pro. No.: 13-_____

**DECLARATION OF STEPHEN A. TROWBRIDGE IN SUPPORT OF PLAINTIFFS'
APPLICATION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTIVE RELIEF**

Stephen A. Trowbridge, hereby declares, under the penalty of perjury, that the following
is true and correct:

1. I am Senior Vice President and General Counsel for AngioDynamics, Inc.
("ADI"), the purchaser of the assets of the debtor Biolitec Inc. (the "Debtor") in the above-
captioned case.
2. Since the August 26, 2013 closing of the transaction set forth in the July 16, 2013
Asset Purchase Agreement by and between ADI and Melanie Cyganowski, as Chapter 11

Trustee for the Debtor, ADI has been attempting to provide products and services to the customers of the Debtor in accordance with the contracts and former business relationship between the Debtor and its customers.

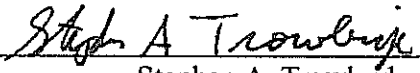
3. Notwithstanding the Trustee's transfer to ADI of customer contracts, the Biolitec name, customer lists, and good will, our sales staff has been advised by the customers of the Debtor that a new entity calling itself "Biolitec U.S. Inc." has been contacting the Debtor's former customers by phone, by mailings, and in person soliciting their business with false statements about the sale of the Debtor's assets to ADI. This contact has been undertaken by certain former employees/sales people of the Debtor, including Scott Cote and Jack Furcht. In the email correspondence attached hereto as Exhibits "A" and "B", defendants Cote and Furcht state that they represent and are working on behalf of Biolitec U.S. Inc. They are also distributing to former Debtor customers the document attached hereto as Exhibit "C" entitled "Fact Sheet Regarding Biolitec, Inc. Chapter 11 Bankruptcy" (the "Customer Solicitation"). The address, telephone number, and informational email address of Biolitec U.S. Inc. listed on the Customer Solicitation are the same as those used by the Debtor prior to the sale. The telephone numbers and email addresses were transferred to ADI on August 26, 2013.

4. Furthermore, the website formerly maintained by the Debtor at domain name <http://www.biolitec-us.com> has been retained without any change except to substitute "Biolitec U.S., Inc." for the Debtor's name, as shown by the captured images of the website on October 23, 2012 and August 16, 2013 attached hereto as Exhibit "D". Brian Foley, who was listed as Chief Operating Officer of Biolitec, Inc. prior to the sale to ADI, is now listed as Chief Operating Officer of the new entity, Biolitec U.S. Inc., as shown by the list contained in the

"Management" section of the <http://www.biolitec-us.com> website, attached hereto as Exhibit "E".

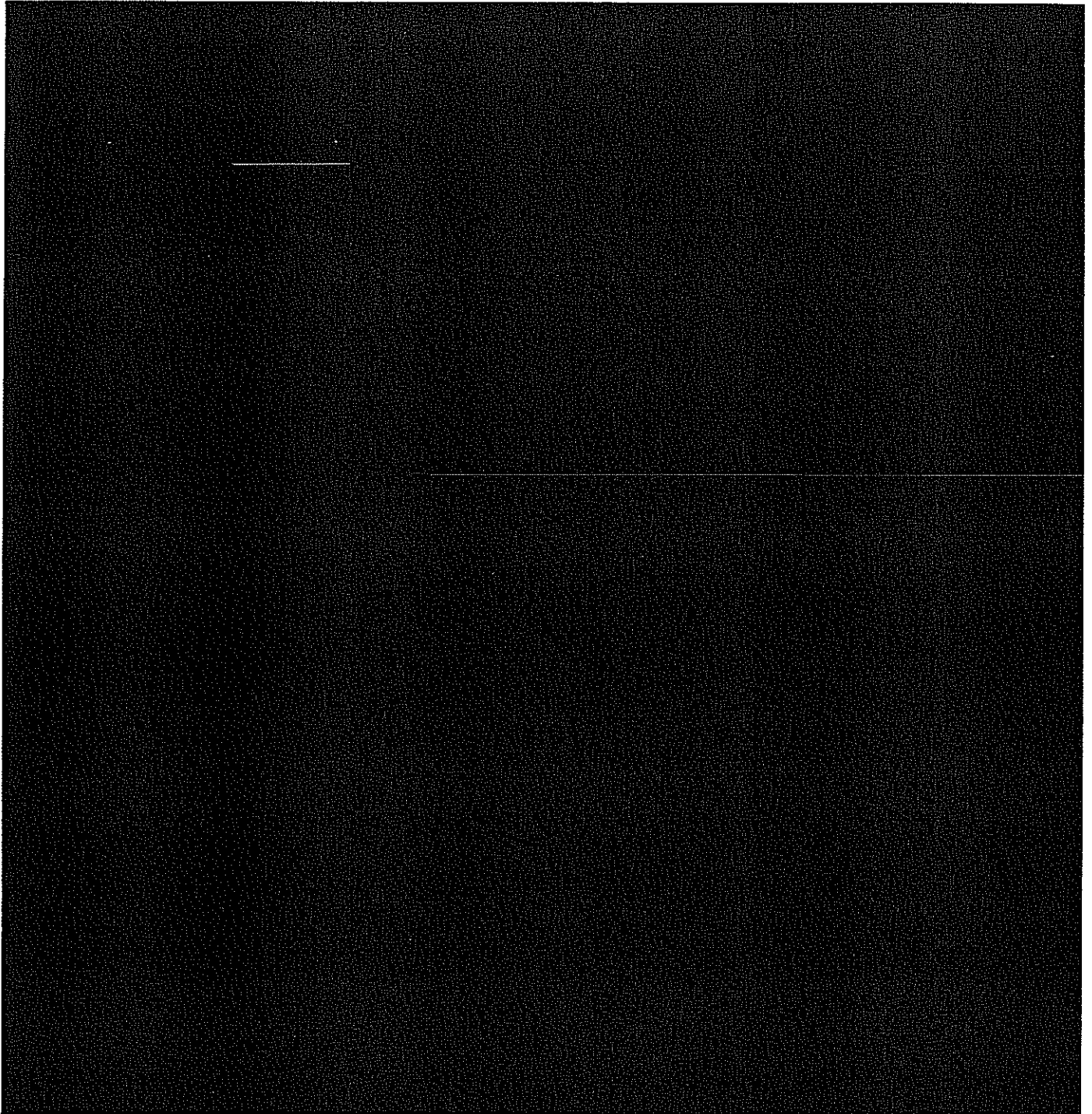
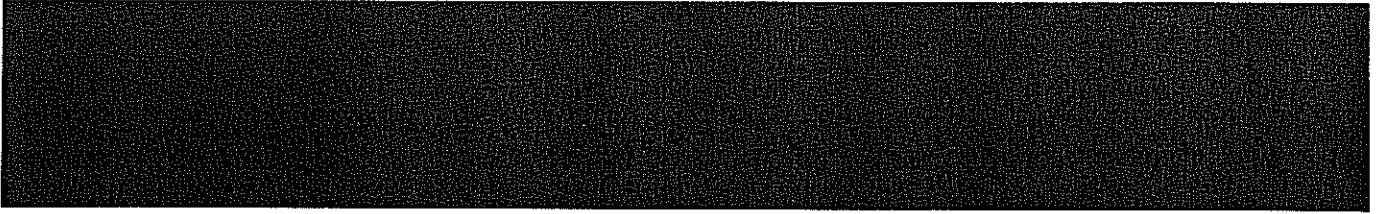
5. The actions of Biolitec U.S. Inc. are having a tremendously negative impact on the value of the assets ADI purchased from the Trustee pursuant to the APA approved by the United States Bankruptcy Court for the District of New Jersey. Clearly, ADI has not received the benefit of its bargain with the Trustee as a direct result of the illegal activities of Biolitec U.S. It is crucial that Biolitec U.S. not interfere with the transfer of the assets of the Debtor to ADI so that ADI would obtain the benefit of the bargain it reached with the Trustee which agreement was approved by the Sale Order, dated August 9, 2013.

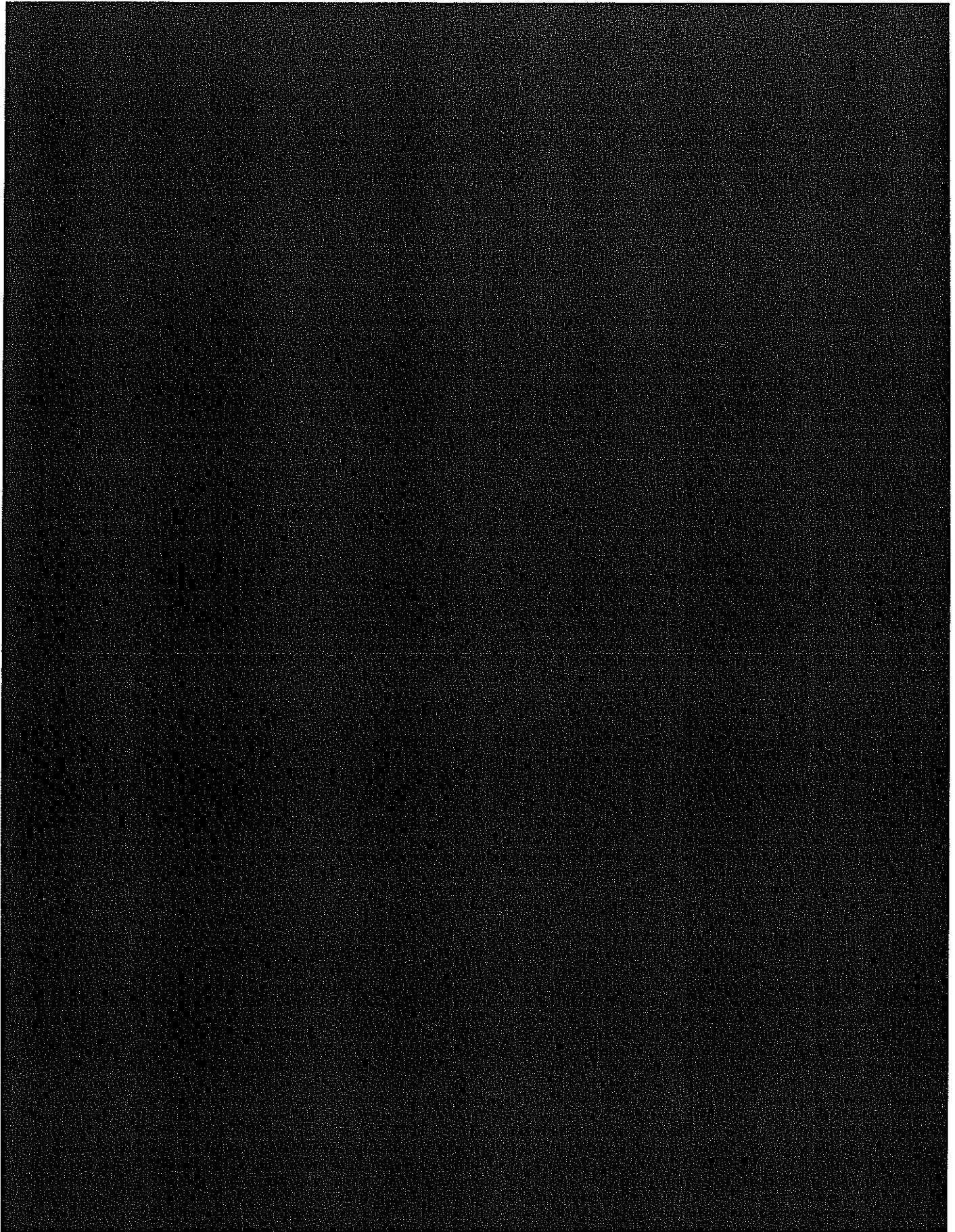
Dated: August 29, 2013
Albany, New York

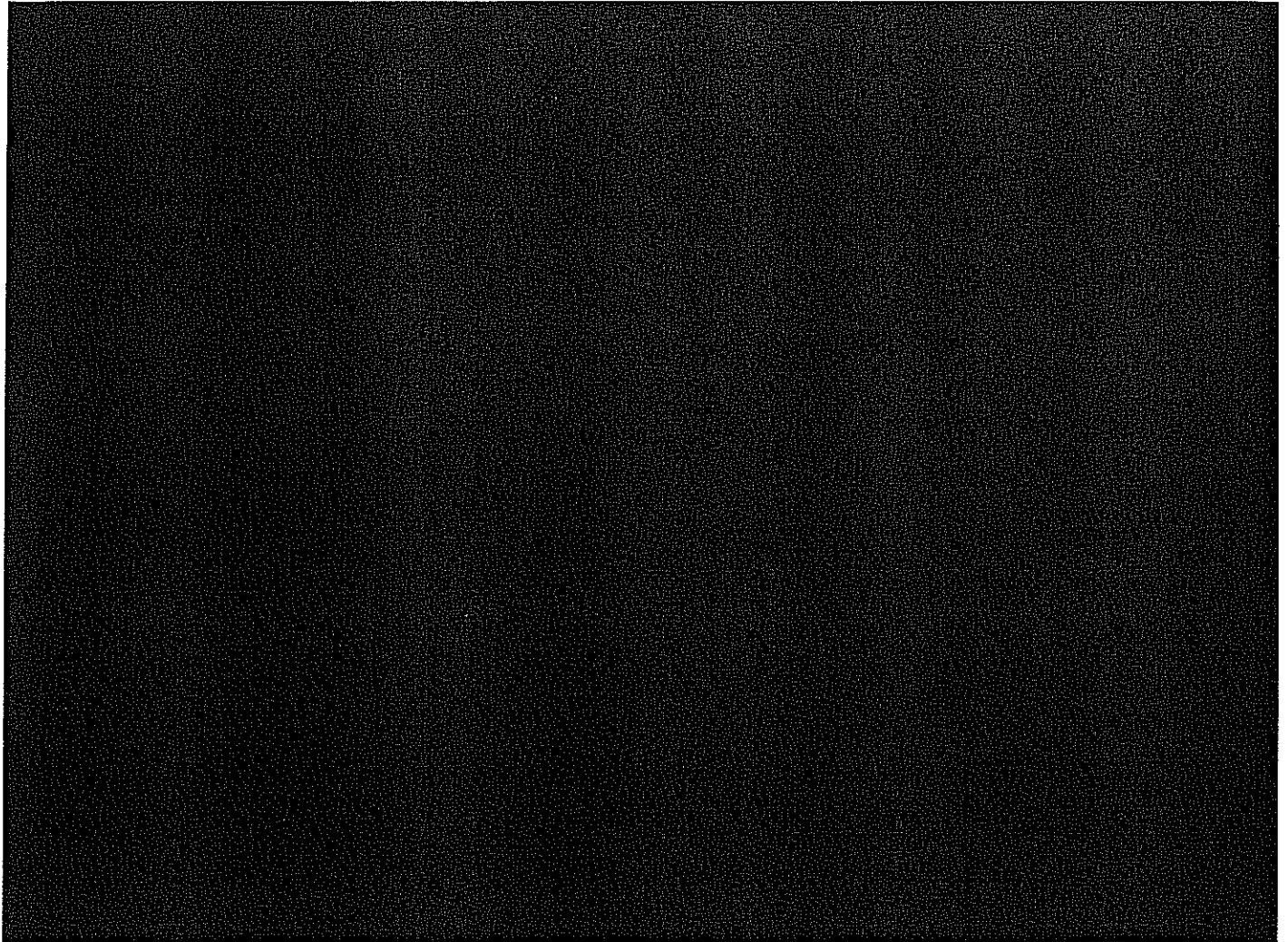


Stephen A. Trowbridge

EXHIBIT A







----- Original message -----

From: Scott Cote <scottcote@sbcglobal.net>

Date: 08/22/2013 6:42 AM (GMT-08:00)

To: [REDACTED]

Subject: Biolitec U.S. Inc. Announcement

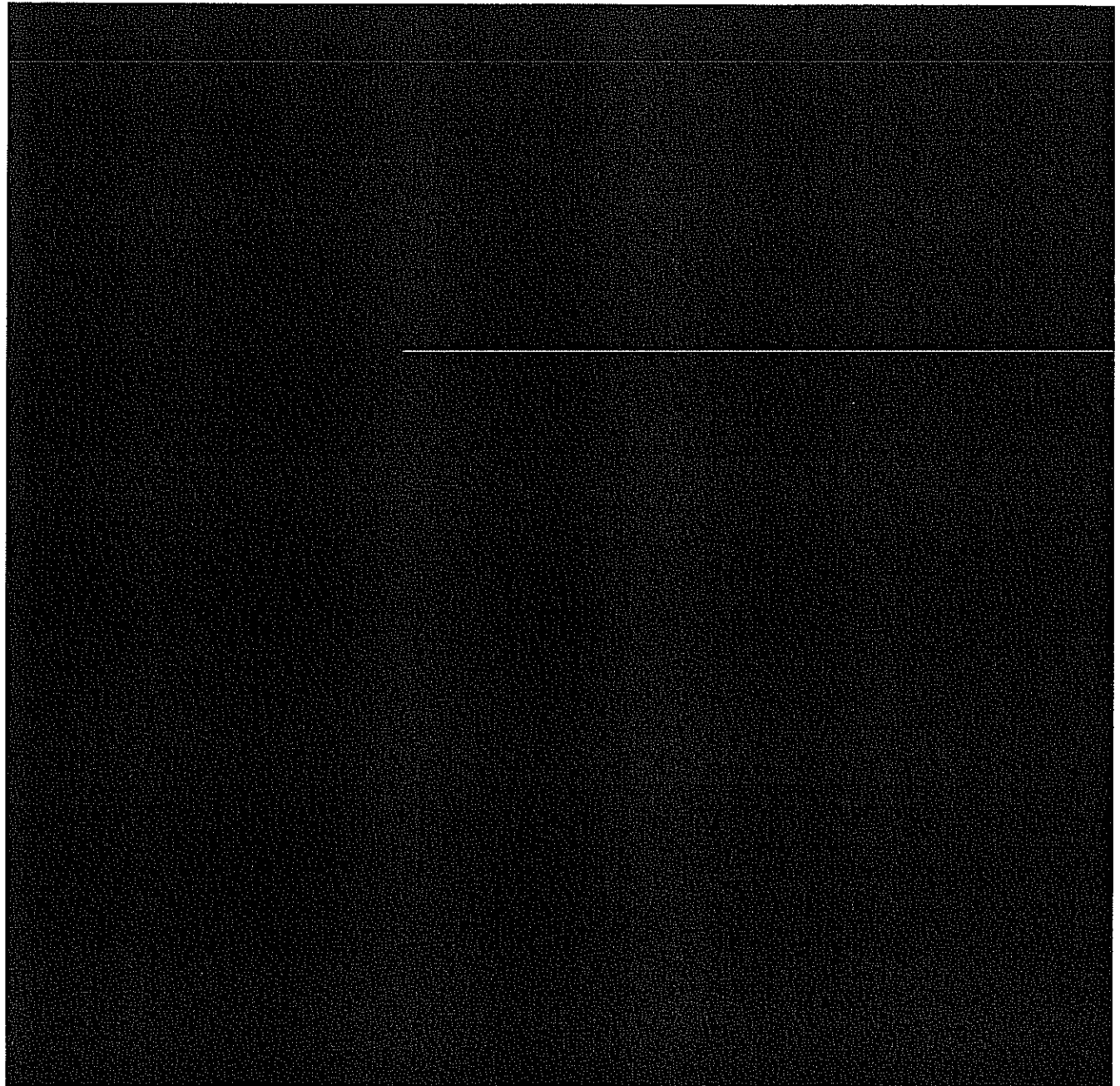
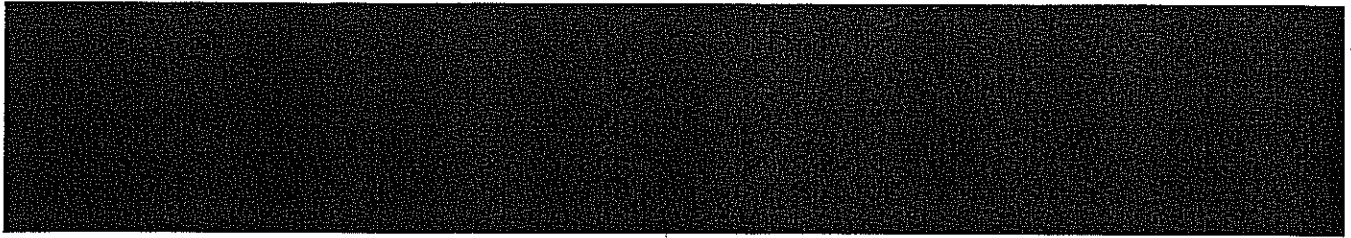
[REDACTED]

Hello and hope you are well. Attached is a fact sheet that helps to clarify distribution of Biolitec endovenous products in the U.S. We have a new phone number for ordering products and for support which is 800-321-0790. Thank you for your business and please give me a call directly with further questions or concerns.

Scott Cote'
Biolitec U.S. Inc.
Direct 800-378-0899

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EXHIBIT B



[REDACTED]

From: Jack Furcht <jfurcht@verizon.net<mailto:jfurcht@verizon.net>>
Date: August 21, 2013, 10:57:18 PM CDT
To: [REDACTED]
Subject: biolitec U.S., Inc.

[REDACTED]

Please read attached.

Jack

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EXHIBIT C



**FACT SHEET REGARDING
BIOLITEC, INC. CHAPTER 11 BANKUPTCY**

August 21, 2013, East Longmeadow, Massachusetts: AngioDynamics, Inc. ("ADI") and Melanie L. Cyganowski, the chapter 11 Trustee for Biolitec, Inc., recently sent letters making certain representations regarding the bankruptcy court's approval of a proposed sale of most of Biolitec, Inc.'s assets to ADI. This fact sheet attempts to clarify any confusion that might have been caused by those letters.

First, Biolitec AG and its worldwide affiliates and distributors (the "Biolitec Group") are the only authorized manufacturers and distributors of Biolitec products. Although Biolitec, Inc. formerly was the Biolitec Group's distributor of medical products in the United States, the Trustee decided to liquidate Biolitec, Inc., fire all of its employees, and sell most of its assets to ADI. As a result, Biolitec, Inc. is no longer an authorized distributor of Biolitec Group products. Neither Biolitec, Inc. nor ADI have the authorization or the capability to sell Biolitec Group products.

Second, the same products that were formerly available from Biolitec, Inc. are still available from the Biolitec Group's exclusive U.S. medical distributor, Biolitec U.S., Inc. Anyone may purchase those products by contacting Biolitec U.S. Inc.:

Biolitec U.S., Inc.
515 Shaker Road
East Longmeadow, MA 01028
Telephone: 800-321-0790
FAX 413-525-0611
email info@biolitec.com

Third, although the bankruptcy court has approved the sale of Biolitec, Inc.'s assets to ADI, none of those assets include Lasers or Fiberoptics. Moreover, the sale has not yet even been consummated, and there is a possibility that ADI will decide not to complete the purchase.

Fourth, even if the sale is consummated, ADI will not have access to the Biolitec Group's medical products. Those products are available in the U.S. only through the Biolitec Group's exclusive U.S. medical distributor, Biolitec U.S., Inc. That is true now, before the asset sale has been consummated, and it will be true if and when the asset sale is consummated.

■ Biolitec U.S., Inc.
■ 515 Shaker Road
■ East Longmeadow, MA 01028

■ Tel . 800-321-0790
■ Fax 413.525.0611
■ <http://www.biolitec-us.com>

Fifth, although the Trustee controls Biolitec, Inc., she decided to liquidate Biolitec, Inc., which is no longer in business. As set forth above, however, the Biolitec Group medical products that were formerly distributed by Biolitec, Inc., are now being distributed by Biolitec U.S., Inc.

Finally, if the asset sale is consummated, the Biolitec Group's U.S. customers that formerly purchased products from Biolitec, Inc. are under no obligation to buy ADI's competing products. As always, those customers are free to choose any supplier of medical laser products, including the Biolitec Group, ADI or others. The proposed asset sale to ADI will not enable ADI to sell Biolitec Group products, however, and those customers are free to continue to purchase Biolitec Group products from Biolitec U.S., Inc.

■ Biolitec U.S., Inc.
■ 515 Shaker Road
■ East Longmeadow, MA 01028

■ Tel . 800-321-0790
■ Fax 413.525.0611
■ <http://www.biolitec-us.com>

EXHIBIT D

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biolitec U.S. Inc
515 Shaker Road
East Longmeadow, MA 01028
Telephone: 800-934-2377
Fax: 413-525-0611

International visitors [click here](#).

Thank you for your interest in biolitec. Let us know how we may assist you.

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- [Ask a Question](#)

Medical Professionals

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515 Shaker Road
East Longmeadow, MA 01028
Telephone: 800-934-2377
Fax: 413-525-0611

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Thank you for your interest in biolitec. Let us know how we may assist you.

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Management

Meet the people who lead our team.

Dr. Wolfgang Neuberger is the Chief Executive Officer (CEO) of biolitec AG. His core responsibilities revolve around strategic partnerships and organizations. Dr. Neuberger has been involved in establishing the current biolitec group since 1988. He has worked as a project manager for McKinsey, GEA Happel AG in Herne and Corporate Dynamics in Geneva. After his training as an engineer, he earned a doctorate degree in physics from the Technical University of Vienna in 1997. Dr. Neuberger also holds an MBA from INSEAD in Fontainebleau, France.



Biolitec Supervisory Board

Dr. Dietmar Meyersiek: Chairman of the supervisory board; management consultant. Other positions on supervisory boards: deputy chairman of the supervisory board of AMADEE AG, Minden. Formerly, Dr. Meyersiek was the director and managing director of EXES, Dr. Meyersiek Management Information GmbH.

Dr. Harald Schroeder: Deputy Chairman of the supervisory board: former deputy chairman of the management of Merck KGaA. Other positions on supervisory boards: Gerling Globale Ruckversicherungs-AG, Köln; Deutscher Ring Lebensversicherungs-AG, Hamburg; Campina GmbH, Heilbronn; Kera Holding AG, Dieburg. Prof. Dr. Stephan Schmidt (MD): Member of the supervisory board and director of the Medical Center of Gynecology at Philipps University, Marburg.

U.S. Headquarters

Brian Foley: Chief Operating Officer

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